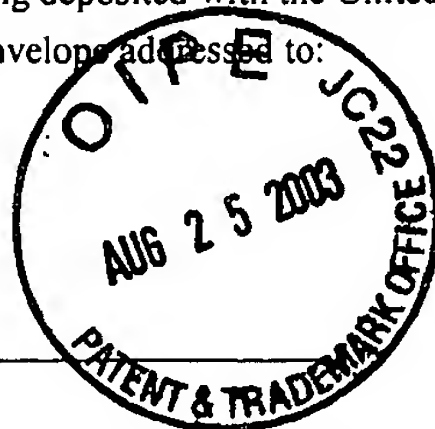


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PATENT  
Attorney Docket No.: 017380-000313US

Assistant Commissioner for Patents  
Washington, D.C. 20231

On August 19, 2003



TOWNSEND and TOWNSEND and CREW LLP

By: MARK T. DAVIS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Kenneth T. RICHARDSON and  
Don C. PEARSON

Application No.: 10/627,439

Filed: July 25, 2003

For: UNIT DOSAGE FORMS FOR THE  
TREATMENT OF HERPES SIMPLEX

Examiner: To Be Assigned

Art Unit: To Be Assigned

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of reference nos. 1-2 and 4-6 can be found in Application No. 09/828,323, filed April 5, 2001 (Attorney Docket No. 017380-000311US) and copies of reference nos. 3 and 7-18 can be found in Application No. 09/396,019, filed September 15, 1999 (Attorney Docket No. 017380-000310US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicants believe that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



M. Henry Heines  
Reg. No. 28,219

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PTO/SB/08B (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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<b>Substitute for form 1449B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/627,439
				Filing Date	July 25, 2003
				First Named Inventor	Kenneth T. RICHARDSON et. al.
				Art Unit	To Be Assigned
				Examiner Name	To Be Assigned
Sheet	1	of	2	Attorney Docket Number	017380-000313US

U.S. PATENT DOCUMENTS					
Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US-4,937,234	06-26-1990	Fahim	
	2	US-5,599,719	02-04-1997	Woiszwilllo et al.	
	3	US-5,804,594	09-08-1998	Murad	
	4	US-5,962,030	10-05-1999	Fine	
	5	US-6,133,318	10-17-2000	Hart	
	6	US-6,235,756	05-22-2001	D'Amato	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	7	ALGERT, S.J. et al. "Assessment of dietary intake of lysine and arginine in patients with herpes simplex," <i>J. Amer. Diet Assoc.</i> 1987, pp. 1560-1561, Vol. 87, No. 11.	
	8	AYALA, E. and KRIKORIAN, D. "Effect of L-lysine monohydrochloride on cutaneous herpes simplex virus in the guinea pig," <i>J. Med. Virol.</i> 1989, pp. 16-20, Vol. 28.	
	9	EBY, G.A. and HALCOMB, W.W. "Use of topical zinc to prevent recurrent herpes simplex infection: review of literature and suggested protocols," <i>Med. Hypotheses</i> 1985, pp. 157-165, Vol. 17.	
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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2 of 2

**Complete if Known**

Application Number	10/627,439
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First Named Inventor	Kenneth T. RICHARDSON et. al.
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Examiner Name	To Be Assigned
Attorney Docket Number	017380-000313US

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	12	KUMEL, V.G. et al. "[Zinc sulfate and heparin for local therapy of herpes. Antiherpetic drugs, not leading to selection of HSV variants]," <i>Fortschr. Med.</i> 1995, pp. 235-238, Vol. 113, No. 15.	
	13	MARTIN, C.P. et al. "Antiviral activity of a D-glucosamine derivative against herpetic ulcers (HSV type 2) in rabbit cornea," <i>Acta. Ophthalmol. (Copenh.)</i> 1989, pp. 55-60, Vol. 67.	
	14	PALAMARA, A.T. et al. "Evidence for antiviral activity of glutathione: in vitro inhibition of herpes simplex virus type 1 replication," <i>Antiviral Res.</i> 1995, pp. 237-253, Vol. 27.	
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	16	SAGRIPANTI, J.L. et al. "Mechanism of copper-mediated inactivation of herpes simplex virus," <i>Antimicrob. Agents Chemother.</i> 1997, pp. 812-817, Vol. 41, No. 4.	
	17	VOSEN, R.C. et al. "Intracellular thiol redox status affects rat cytomegalovirus infection of vascular cells," <i>Virus Res.</i> 1997, pp. 173-183, Vol. 48.	
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Examiner  
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Considered

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